

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

AMBIANCE GR,

Plaintiff,

v

Civil Action No. 1:23-cv-1335

Hon. Jane M. Beckering

CITY OF GRAND RAPIDS,
GRAND RAPIDS POLICE
DEPARTMENT, GRAND RAPIDS
POLICE OFFICERS,

Defendants.

Tyrone Bynum (P82427)
Attorney for Plaintiff
Law Offices of Tyrone Bynum PLLC
7125 Hearley Street, Suite 433
Ada, MI 49301
Ph: (616) 608-7409
tyrone@lawofficesoftyronebynumpllc.com

Elizabeth J. Fossel (P41430)
Sarah J. Hartman (P71458)
Megan E. Luptowski (P84826)
Attorneys for City of Grand Rapids
City of Grand Rapids Law Department
300 Monroe Ave. NW, Ste. 620
Grand Rapids, MI 49503
Ph: (616) 456-1318
efossel@grand-rapids.mi.us
shartman@grand-rapids.mi.us
mluptowski@grand-rapids.mi.us

STIPULATION AND ORDER TO EXTEND

The parties, by and through their respective counsel, do hereby stipulate and agree:

- 1) That on February 8, 2024, Plaintiff Ambiance GR filed its First Amended Complaint.
(*Am. Compl.*, ECF No. 15, PageID.58.)
- 2) That pursuant to Federal Rule 15(a)(3), the properly named and served Defendants would have 14 days from the filing of the First Amended Complaint to respond.
Fed.R.Civ.P 15(a)(3).
- 3) That, based that time provided for by Federal Rule 15, Defendants' responsive pleading would be due on February 22, 2024.

- 4) That on February 12, 2024, in accordance with Local Rule 7.1(d), Defense counsel emailed Plaintiff's counsel seeking concurrence on the Defendants' intention to refile their Motion to Dismiss, and specifically, asking if Plaintiff would be willing to stipulate to dismissal with prejudice of Plaintiff's claims. W.D. Mich. L. Civ. R. 7.1(d).
- 5) That Plaintiff's counsel responded by asking for additional time to consider the Defendants' request.
- 6) That the parties now agree, so that Plaintiff may consider Defendants' request for concurrence with their Motion to Dismiss and/or dismissal of the Amended Complaint, that Defendants should have the time period extended to respond to Plaintiff's First Amended Complaint by 1 week, until February 29, 2024.
- 7) The parties further agree that no other dates shall be affected by this extension.

IT IS SO STIPULATED AND AGREED:

Dated: February 16, 2024

By: /s/ Tyrone Bynum
Tyrone Bynum (P82427)
Attorney for Plaintiff

Dated: February 16, 2024

By: /s/ Elizabeth J. Fossel
Elizabeth J. Fossel (P41430)
Attorney for City of Grand Rapids

IT IS ORDERED:

Dated: _____

/s/ _____
Hon. Jane M. Beckering
United States District Judge